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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,823	03/24/2004	Tareq A. Risheq	TR-1CIP	7604
1473	7590	08/23/2005	EXAMINER	
FISH & NEAVE IP GROUP ROPES & GRAY LLP 1251 AVENUE OF THE AMERICAS FL C3 NEW YORK, NY 10020-1105			WORKU, NEGUSIE	
		ART UNIT	PAPER NUMBER	
			2626	

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/808,823	RISHEQ, TAREQ A.
	Examiner	Art Unit
	Negussie Worku	2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on May 24, 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 10-18 is/are allowed.
- 6) Claim(s) 1 and 3-9 is/are rejected.
- 7) Claim(s) 2 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/12/04</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. Applicant's arguments with respect to claims 1-18, have been reviewed and respectfully considered but claims 1-9 are moot in view of the new ground(s) of rejection and claims 10-18 have been allowed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Ikeda et al. (USP 6,111,586).

With respect to claim 1, Ikeda et al. discloses a digital album (electronic photo album of fig 1), and for viewing at least one digital image, the digital album (fig 1) comprising: a first section (photo album 1, and display 10 of fig 1) comprising a frame (screen display unit 10, inherently has a frame) having a screen configured to display a digital image (photo image, col.7, lines 38-40); and a second section (image read unit 11 of fig 1, col.6, lines 56-60) comprising a housing (fig 1) and a scanner disposed within the housing, (inherently image reading unit has a scanner in housing) wherein the

first section (1 and 10 of fig 1) further comprises a microprocessor (inherently provided col.6, lines 11-12) and a memory (16 of fig 1) coupled to the microprocessor.

With respect to claim 3, Ikeda et al. discloses a digital album (electronic photo album of fig 1), wherein the digital album is configured to perform scanning operations when the first section (1 and 10 of fig 1) is structurally coupled to the second section (11 of fig 1).

With respect to claim 4, Ikeda et al. discloses a digital album (electronic photo album of fig 1), wherein the scanner (image reader 11 of fig 1) is configured to scan at least one photographic print, (col.6, line 7-10).

With respect to claim 5, Ikeda et al. discloses a digital album (electronic photo album of fig 1), wherein the scanner (image reader 11 of fig 1) is configured to scan at least one document, (col.10, line 7-8).

With respect to claim 6, Ikeda et al. discloses a digital album (electronic photo album of fig 1), further comprising a removable hard drive (CD RAM 81 of fig 4, inherently removable) configured to be selectively engaged with the first section (1 and 10 of fig 1).

With respect to claim 7, Ikeda et al. discloses a digital album (electronic photo album of fig 1), wherein the hard drive (hard drive inherent provided in computer 10 of

fig 1) is configured to store at least one digital image (photo image of fig 1) associated with a photographic print or a document (photo image printed by printer 88 of fig 4)

With respect to claim 8, Ikeda et al. discloses a digital album (electronic photo album of fig 1), wherein the digital album is configured to download data from at least one origin medium (photo image down loaded on the screen of display 10 of fig 1, from editing 1 of fig 1, col.14, lines 15-20).

With respect to claim 9, Ikeda et al. discloses a digital album (electronic photo album of fig 1), further comprising a removable CD/DVD/RW drive (81 of fig 4, inherently removable) configured to be selectively engaged with the first section (1 and 10 of fig 1).

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance: In response to the February 24, 2005 office action applicant submitted a remarks and arguments filed on May 24, 2005, with respect to claims 1-18 have been reviewed and respectfully considered. With respect to claims 10-18 applicant's arguments have been persuasive and the Office action of February 24, 2005 with regard to claims 10-18 has been withdrawn.

Therefore, claims 10-18 have been allowed for the reasons the prior arts searched and off record neither anticipates nor suggests the claimed invention as claimed.

Claims objected to having Allowable subject matter

5. Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

With respect to claim 2, the prior art does not teach or disclose digital album, and the second section are configured to be detachable from one another.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Negussie Worku whose telephone number is 305-5441. The examiner can normally be reached on 7am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Negussie
8/16/05

KAWilliams
KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER